

Appendix D
Public Input and Comments

From: [REDACTED]
Sent: Thursday, January 24, 2008 14:40
To: Bailey, Cynthia B
Subject: Mistake

***Ms. Bailey,
Please reconsider the plan for a sewage treatment plant in Coden.
Others can fill you in on the details, but I've looked them over and I
find other alternatives that would have much less impact on the
historic area of coastal Alabama that has been pushed to the brink
by natural and governmental disasters.***

***Thanks,
Ed Williamson***

From: [REDACTED]
Sent: Thursday, January 24, 2008 14:39
To: Bailey, Cynthia B
Subject: Bayou LaBatre sewage

Dear Ms. Bailey
The proposed location of the Bayou LaBatre sewage plant and lines will be in the flood plain and will not help Coden residents who were also affected by Katrina. The next hurricane will certainly cause severe damage to the proposed sewage location.
Other viable alternatives exist. Let's look at them.
Thank you,
Harold Cohen
Mobile, Al

From: [REDACTED]

Sent: Thursday, January 24, 2008 1:53 PM

To: Straw, William

Subject: Comment - Lack of Notice - Lack of Consideration of Alternatives FEMA-1604-DR-AL

Dear Mr. Shaw ,

I am adjoining land owner to the proposed project site - I received no notice of the above project even though I have great interest in the same - nor did anyone else that I know. Many alternatives were not considered in the DEA and the DEA is factually inaccurate. Can you help us reopen the comment period, secure a public hearing and facilitate a more complete and accurate Environmental Impact Statement?

Even though the comment period ended 15 days from December 11, 2007. I am submitting the following comment:

Robert Ives, Director
Alabama Transitional Recovery Office
1555 Eastern Boulevard
Montgomery, AL 36117

Cynthia Bailey
FEMA Environmental Liaison Officer
Alabama Transitional Recovery Office
1555 Eastern Boulevard
Montgomery, AL 36117

Also Via Fax to (334) 409-4657

RE: Draft Environmental Assessment (DEA) for the City of Bayou la Batre Redevelopment - Mobile, AL FEMA-1604-DR-AL

Dear Mr. Ives and Ms. Bailey;

I am a stakeholder with interest in the above matter having property adjoining the proposed site of the Relocated Waste Water Treatment Plant (RWWTTP) subject to the above referenced DEA. I have just learned of the availability of the DEA which addresses the funding of the development of two community housing projects and relocation of the city's wastewater treatment plant. I received no prior notice of the availability of the DEA nor the public comment period. Other individuals and organizations are similarly situated.

I interject no objection to the funding of the development of the proposed community housing projects but have serious objections to the DEA and placement of the proposed relocated wastewater treatment plant. These objections are based upon the following:

1) Lack of Notice of DEA/ Lack of Ability to Comment. Although I am an effected landowner, I have received no notice of the DEA nor the public comment period. My first notice was during the week of January 14th, 2008 via email from a third party. I have repeatedly requested notice from

various agencies and my interest in this matter is known to the Bayou la Batre City Council and Mayor, Attorneys for the City of Bayou La Batre and Bayou La Batre Utilities Board. Also given that many who live in the immediate area do not speak English as a first language, I am advised that they have not received adequate notice either. As this matter has an adverse impact upon my property, the dictates of due process mandate adequate notice to myself and those similarly situated.

2) Placement of the RWWTP within the floodplain in a coastal high hazard zone when other alternatives exist. The purpose and intent of the project is defeated by funding the RWWTP and creates great potential for future environmental harm due to weather related hazards and sewer overflow. Pursuant to the DEA, the stated purpose and intent of the proposed project is to relocate the waste water treatment plant out of the coastal high hazard zone to alleviate the risk from future storm damage and subsequent sewer overflows (DEA Section 3.5.2). The proposed new site located at 14575 Railroad Street is just as vulnerable to flooding, storm surges and contributing to sewer overflows as the current location at 285 State Docks Rd. Section 4.3.22 of the DEA notes that "The new WWTP is located within FEMA floodplain designated zone AE, within the 100-year floodplain. The lift station would be built in the location of the existing WWTP, which is located in the coastal high hazard area (FEMA floodplain designated zone VE) within the 100-year flood plain). In addition, the new influent/effluent lines would also be constructed within FEMA floodplain designated zones VE and AE (FEMA, 1998)."

Other alternatives to placement of the wastewater treatment plant within a coastal high hazard zone exist; are reasonably available; and are located outside the 100 year flood plain which is vulnerable to storm surges. The selected site for the RWWTP is as vulnerable to coastal hazards as the previous site. Other areas exist in the area which are not within the 100 year floodplain nor in a coastal high hazard zone. As noted in the DEA, the proposed site of the housing developments along with much of the northern areas of the city are not within the floodplain, although the DEA incorrectly notes that the entire city is within a 100 year floodplain. (Compare DEA Section 4.3.2.2 A with Section 4.3.2.2 B).

An alternative which was not considered in the DEA but which is extant and much more preferred is the use of the facilities of Mobile Area Water and Sewer System (MAWSS). Under this alternative, the City would utilize the facilities of MAWSS and all sewage would be pumped and treated at a regional facility on McDuffie Island in Mobile County. No sewage treatment plant would be located in the City of Bayou La Batre and no outfall line would be necessitated within the waters of Portersville Bay. This alternative is well known to the governing body of the City of Bayou La Batre but is not considered in the present DEA.

Further, the MAWSS alternative would provide waste water treatment facilities to large areas of South Mobile County which have no facilities. These areas were also greatly impacted by Hurricane Katrina and rebuilding has been hampered due to lack of adequate and sanitary sewer treatment facilities. The population so affected includes much of the 3600 residents of Coden, Alabama which encompasses the 36523 zip code. The residents of the 36523 zip code prior to Hurricane Katrina relied mainly upon septic tanks. Most of the septic tanks have been condemned post-Katrina. Under the current plan to rebuild the Bayou la Batre wastewater treatment plant, much of South Mobile County would continue not have access to waste water treatment facilities and therefore complete recovery from Hurricane Katrina cannot be had within these areas.

2. Much of the information regarding in the DEA regarding existing environment conditions, historical sites and cumulative impacts is incorrect or inadequate. The gravity and long term adverse impacts proposed project mandates a more complete Environmental Impact Statement; with adequate consideration of:

*Impact of placement of the RWWTP in a 100-year floodplain and coastal high hazard zone.

*Impact upon sensitive environment - Coffee Island (also known as Isle Aux Herbes) which will be impacted by the outfall line placement is designated critical habitat for the Piping Plover. The

West Indian Manatee has been noted in the adjacent waters of Coden Bayou and Portersville Bay. The area to be impacted is a major estuary area. The cumulative impacts of this long term development are not explored. Currently many of our oyster fisherman are prevented from utilizing the historically protective oyster reefs of the area due to the outfall line. I am personally prevented from utilizing my property (which includes riparian rights) for oyster production. This situation will only be aggravated by the current proposed relocation of the wastewater treatment plant.

*Impact upon numerous historical sites are adjacent area to the proposed site and well known. Due to lack of local consultation none of these sites are noted in the DEA.

*Impact upon navigation and commercial fishing - the current proposed site is utilized as a dredge dump site for the United States Corp of Engineers. Dredging of both Bayou La Batre and Coden Bayou will be halted impeding navigation in the area and affecting the ability of the docking of commercial vessels and the local shipbuilding industry.

*Impact upon adjacent communities and recovery after Hurricane Katrina. The current plan leaves much of Hurricane Katrina ravaged South Mobile County with out adequate facilities for rebuilding despite the expenditure of large sums of taxpayers dollars. Further, the community of Coden due to its location along the shores of Portersville Bay and its fishing community will suffer great negative impact from the failure or destruction of the proposed relocation of the RWWTP without any benefit there from.

Request is hereby made that the RWWTP not be funded by this project, that other alternatives be considered, that an adequate Environmental Impact Statement be performed and that the public be given opportunity for comment and that a public hearing be held on this matter. The gravity of adverse impact of the waste water treatment plant upon the community, environment and historical concerns mandates further study of this matter with an the production of an Environmental Impact Statement and adequate notice of proceedings which allow public participation.

Sincerely,

Barbara Holley Reid

Sent: Tue 1/29/08 9:43 AM
To: LLOYD, PAUL G; [REDACTED]; callaway@mobilebaykeeper.org;
Paulison, Robert David
Subject: WWTP Comment 01-28-08

Paul:

Nate gave me your name to see if you could help us in our desperate need for re-opening a comment period for our community to speak out on the placement of a WWTP so close to the Gulf of Mexico and on existing wetlands that will be funded by a FEMA grant resulting from hurricane Katrina. Will you please see if you can get Mr. Paulison to hear our plea for assistance. We will fly up to see him if he will speak with us. I saw his photo and he looks like he would give us a sincere

listen. We live in Coden, AL right on the gulf which was devastated by Katrina. Even though our community received no assistance for the restoration of our homes, etc. we are grateful that FEMA offered us temporary housing until we can get back on our feet. The adjacent municipality received millions of dollars from FEMA for their city but has more or less wasted the efforts put forth by FEMA to put people back in their homes. This WWTP is vital to the restoration of their area but also ours. There are alternative placements and less expensive measures in the rebuilding of the WWTP but the city refuses to consider them.

Please reference the attached URS DEA report. Report is filled with inconsistencies. Also, please reference www.bayou-coden-info.com for a more complete history of this proposed WWTP. Also check for current litigation against this same WWTP for many years of environmental violations destroying our bay. I encourage you to have a look see at this website at our area. We were once beautiful with a rich southern history and culture. We just want to be that way again.

Grant writer comment at BLB Work Session 01-28-08 - She stated she was contacted by FEMA and comment period will definitely not be reopened. That was quick. I guess she nipped it in the bud before the community as a whole could come together to request additional time for comments re: public notice for WWTP that was hidden in FEMA grant legal notices. Not ONE area resident within a 2 mile radius of the proposed WWTP location said they were notified or saw a notice for comment.

We wonder who she knows at FEMA that would immediately turn their head at the community wanting additional time for comment period regarding the spenditure of Federal Grant Money on a WWTP to be built .6 miles from the existing plant on a coastal flood zone not 4500 feet from the Gulf of Mexico and to be built on top of a spoil site and wetlands that is the existing home of many of wildlife.

Paul, please help us. I have also attached a comment from the Mayor of Bayou La Batre from just this weekend at a memorial service for 4 small children that was brutally killed - was his words of comfort for the family, no - all he wanted to do was speak ill of FEMA.

All we request is the public comment period be reopened for the WWTP - It was closed mid December per the URS DEA report. We feel so beaten down at this point that not only could we not rebuild our lives in a timely fashion after the storm but now a WWTP will be built on top of us for the next storm to push excrement in all of our homes and back into our bay.

I look forward to hearing from you soon, please.

Sincerest Regards,

Edwina Bates
Resident, Coden, AL

Attached is a photo of myself (the redhead) and a friend from our community who lost her entire home during the hurricane. Her name is Barbara Reid. We work together to help our community to restore itself. We are a proud people but not too proud not to ask for your help in this matter.

1-26-08

Robert Ives, Director and Cynthia Bailey, Liaison Officer

FEMA Alabama Transitional Recovery Office

1555 Eastern Boulevard

Montgomery, AL 36117

FAX 334-409-4657

Dear Mr. Ives, and Ms. Bailey

I own 3.5 acres on Portersville Bay in Coden which includes both sides of the bayou as at bridge 69. I am in opposition to the proposed relocated wastewater treatment plant. I have not received any notices of DEA/ Lack of Ability to Comment. I oppose the placement of the RWWTWP within the floodplain in a coastal high hazard zone when other alternatives exist. The new location at 14575 Railroad is less than a quarter of a mile from my property and the property at 14575 Railroad Street currently floods and drains through my property passing under bridge 69 to the bay. That land has drained through our property since the Clarke's bought in shortly after WWII. In the event of sewage overflow, will the state be liable for clean and damages caused to the surrounding property near the new plant. I can't afford insurance to rebuild my home at this time, how can the sewage plant afford the insurance. What type of insurance would they have to carry in order to cover the surrounding property such as mine? Obviously, if there is a mishap, I will be one of the ones to get the brunt of the sewage run-off.

I can be reached at Alma Bryant High School Journalism phone (251-824-1025) or by cell at 251-604-5688. I will be in touch with our local political representatives. Please do not put the sewage plant on our very vulnerable land. It is a disaster waiting to happen. Please consider the liability to the citizen whose land and livelihood would be gravely impacted by placing a sewage plant in a flood zone and 100 year flood plain.

Sincerely,



Nina Allgood Clarke

January 29, 2008

Robert Ives, Director
FEMA Alabama Transitional Recovery Office
1555 Eastern Boulevard
Montgomery, AL 36117

Cynthia Bailey
FEMA Environmental Liaison Officer
Alabama Transitional Recovery Office
1555 Eastern Boulevard
Montgomery, AL 36117
Also Via Fax to (334) 409-4657

RE: FEMA Funding of Bayou La Batre Waste Water Treatment Plant - FEMA-1604-DR-AL

Dear Mr. Ives and Ms. Bailey;

- 1) Lack of Notice of Draft Environmental Assessment. I have received no notice of the Draft Environmental Assessment nor the public comment period associated with this project. Request is hereby made for re-opening of the public comment period and for public hearings in both Bayou La Batre and Coden.
- 2) Placement of the Proposed Waste Water Treatment Plant within the floodplain in a coastal high hazard zone when other alternatives exist. Better alternatives exist which were not considered. The waters in which this sewer plant will discharge are essential to fish and shell fish habitat. The current proposed placement will damage sensitive fish and shellfish habitat. The result will be economic hardship for commercial fishermen.
- 3) Failure to provide other areas of South Mobile County with sewer. This plan does not provide for sewer for much of South Mobile County. Without another alternative many will not be able to rebuild their homes after Hurricane Katrina.
- 4) Use of Spill Site Charlie will prevent dredging of local waterways and result in harm to local businesses. Many in the area rely on Bayou La Batre and Bayou Coden for economic pursuits which will not be possible unless the channels continue to be dredged. The use of Spill Site Charlie to build a wastewater treatment plant will result in lack of location for dredge spill.

Sincerely:

Name

Address

Edwina Bates
Henrietta Dewitt
Rhonda Stewart
James D Stewart

Windsor C. Johnson
 Sheila Dismuke
 Anna & Anne
 Vessie Dismuke
 Linda Ann Radcliff
 Cory A. Dismuke
 Eugene West
 Nelson Thompson
 Majorie Lyons
 Melvina Lyons
 Matilda Stewart
 Stephen Stewart
 Melba Stewart
 Janice Stewart
 Hilda L. Felix
 Joseph M. Felix Jr.
 Sherry Dismuke
 Ruby Child Jr. Dismuke
 Tommy Williams
 Anita Williams
 Sarah Mossie
 Anna Radcliff
 Richard A. Vining
 Betty J. Vining
 Carl Vining
 Randall Wright
 Edwin Wells
 Jerry Wells
 Dorothy P. Johnson
 Windsor Johnson Jr.
 Log Johnson
 Paul B. Skinner
 Hulene Skinner